

1 ANDREW S. AZARMI (SBN 241407)
2 andrew.azarmi@dentons.com
DENTONS US LLP
3 1999 Harrison Street
Suite 1300
4 Oakland, CA 94612
Telephone: 415 882 5000
Facsimile: 415 882 0300

5 ANNE E. WADDELL (SBN 311388)
6 anne.waddell@dentons.com
DENTONS US LLP
7 4675 MacArthur Court, Suite 1250
Newport Beach, CA 92660
8 Telephone: 949 732 3700
Facsimile: 949 732 3739

9 Attorneys for Defendants
10 THE PRUDENTIAL INSURANCE COMPANY
OF AMERICA, PRUCO LIFE INSURANCE COMPANY,
11 and PRUCO LIFE INSURANCE COMPANY OF NEW JERSEY

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA
14 FRESNO DIVISION

16 VALERIE NEPINSKY,

Case No. 1:23-cv-01571-JLT-BAM

17 Plaintiff,

**JOINT STIPULATION FOR A
CONTINUANCE AND [PROPOSED]
ORDER**

18 vs.

Hearing Date: December 6, 2023
Hearing Time: 10:00 am
Judge: Hon. Barbara A. McAuliffe

19 THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA; PRUCO LIFE
20 INSURANCE COMPANY; PRUCO LIFE
INSURANCE COMPANY OF NEW
21 JERSEY; and DOES 1 through 20, inclusive,

Date Action Filed: September 27, 2023
Trial Date: None set

22 Defendants.
23

DENTONS US LLP
1999 HARRISON STREET, SUITE 1300
OAKLAND, CA 94612
415 882 5000

1 Plaintiff Valerie Nepinsky (“Nepinsky”) and Defendants The Prudential Insurance
2 Company of America, Pruco Life Insurance Company, and Pruco Life Insurance Company of
3 New Jersey (collectively, “Parties”), by and through counsel and pursuant to Federal Rule of
4 Civil Procedure 6 and Local Rule 144, hereby stipulate to a one (1) week continuance of the
5 December 6, 2023 hearing on Defendants’ Application for Relief due to CM/ECF Technical
6 Failure (ECF No. 4) (“Application”). In support thereof, the Parties state:

7 WHEREAS, Defendants filed the Application on November 7, 2023;

8 WHEREAS, by Order on the Court’s own motion (ECF No. 7), the hearing date for
9 Defendants’ Application is presently scheduled for December 6, 2023;

10 WHEREAS, the undersigned counsel for Defendants are unavailable to appear at the
11 December 6, 2023 hearing due to work and client commitments;

12 WHEREAS, the stipulated continuance is not being sought for the purpose of delay but
13 rather is being sought in good faith;

14 WHEREAS, there have been no previous requests for continuance in this matter;

15 WHEREAS, the requested continuance will not affect any other date in the case;

16 NOW, THEREFORE, the Parties agree and stipulate to the continuance of the hearing
17 date on Prudential’s Application to December 13, 2023 or as soon thereafter the Court is
18 available.

19

20

21

22

23

24

25

26

27

28

DENTONS US LLP
1999 HARRISON STREET, SUITE 1300
OAKLAND, CA 94612
415 882 5000

1 IT IS SO STIPULATED:
2
3
4

Date: December 1, 2023

LAW OFFICES OF
PAUL J. O'ROURKE, JR.

By: /s/ Paul J. O'Rourke, Jr.
(as authorized on 12/1/23)
Paul J. O'Rourke, Jr., Esq.
Attorney for Plaintiff
Valerie Nepinsky

7
8 DENTONS US LLP
9
10

Date: December 1, 2023

By: /s/ Andrew S. Azarmi

Andrew S. Azarmi
Anne E. Waddell
Attorneys for Defendants
The Prudential Insurance Company
of America, Pruco Life Insurance
Company, and Pruco Life Insurance
Company of New Jersey

DENTONS US LLP
ONE MARKET PLAZA
SPEAR TOWER, 24TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

VALERIE NEPINSKY,

Plaintiff,

vs.

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA; PRUCO LIFE
INSURANCE COMPANY; PRUCO LIFE
INSURANCE COMPANY OF NEW
JERSEY; and DOES 1 through 20, inclusive,

Defendants.

Case No. 1:23-cv-01571-JLT-BAM

**[PROPOSED] ORDER REGARDING
STIPULATED CONTINUANCE**

Hearing Date: December 6, 2023
Hearing Time: 10:00 am
Judge: Hon. Barbara A. McAuliffe

New Hearing Date: December 19, 2023
New Hearing Time: 8:30 AM
Judge: Hon. Barbara A. McAuliffe
Courtroom: 8

Date Action Filed: September 27, 2023
Trial Date: None set

Upon consideration of the Parties' Joint Stipulation for Continuance (Doc. 11) and good cause appearing, it is hereby ORDERED that:

1. The hearing date on Defendants' Application for Relief (Doc. 4) is continued to December 19, 2023, at 8:30 AM in Courtroom 8 (BAM) before Magistrate Judge

Barbara A. McAuliffe. The parties shall appear at the hearing remotely with each party connecting either via Zoom video conference or Zoom telephone number. The parties will be provided with the Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID number and password are confidential and are not to be shared. Appropriate court attire required.

IT IS SO ORDERED.

Dated: December 4, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE